

Notice of Allowability	Application No.	Applicant(s)	
	09/981,844	BAUMBERG, ADAM MICHAEL	
	Examiner	Art Unit	
	Colin M. LaRose	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 23 June 2006.
2. ☒ The allowed claim(s) is/are 1-3,5-21,23-33 and 37-39, renumbered 1-34.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jennifer Reda (57,840) on 14 July 2006.

2. Please amend the **Abstract** as follows:

~~An image processing apparatus is disclosed in which input images are processed to generate texture map data for texture rendering a generated three dimensional computer model of object(s) appearing in the images. In order to select the portions of the images utilised, confidence data is generated indicative of the extent portions of the surface of a model are visible in each of the images. The images are then combined utilising this confidence data, where image data representative of different spatial frequencies are blended in different ways utilising the confidence data.~~ An apparatus is disclosed for generating frequency component image data representative of image information of a plurality of different spatial frequencies of an image of at least part of a subject from a predefined view. A receiver receives a plurality of images comprising image data representative of a subject from a plurality of view points. For each of a plurality of received images, frequency component image data representative of image information of a plurality of different spatial frequencies within images received by the receiver is determined, and projections of the frequency component image data projected to a predefined

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view are also determined. Visibility data indicative of the relative visibility of portions of the surface of a subject from viewpoints is then determined. Portions of projections of frequency component image data are associated with the visibility data, and the visibility data associated with portions of projections are utilized to determine frequency component image data representative of frequency image information of an image of a subject from a predefined view.

3. Please amend the **claims** as follows:

(i) Cancel claims 36 and 40.

(ii) In claim 19, change "a projection generation unit operable to determine projections of frequency component image data determined by said determination unit to a predefined viewpoint" to:

-- a projection generation unit operable to determine projections of frequency component image data determined by said determination unit projected to a predefined viewpoint --.

(iii) In claim 37, change "A recording medium for storing" to:

-- A recording medium storing --

4. Claim 40 has been canceled because it claims ineligible subject matter (see the "Interim Guidelines," Official Gazette, 11/22/05).

Claim 36 has been canceled because "process steps for generating within a programmable computer, [an] apparatus," encompasses potentially non-enabling subject matter.

Claims 19 and 37 have been amended to correct minor informalities.

REASONS FOR ALLOWANCE

5. The following is an examiner's statement of reasons for allowance:

Applicant has rewritten previously objected dependent claims 9, 17, and 27 in independent form, and has incorporated the subject matter of previously objected dependent claims 4 and 22 into claims 1 and 19, respectively. (See paragraph 8 of the Office action mailed 10/20/05).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Related Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent Application Publication 2001/0056308 by Petrov et al.; and


U.S. Patent Application Publication 2002/0050988 by Petrov et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Colin M. LaRose whose telephone number is (571) 272-7423. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu, can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000. Any inquiry of a general nature or relating to the status of this application or proceeding can also be directed to the TC 2600 Customer Service Office whose telephone number is (571) 272-2600.

Colin M. LaRose
Group Art Unit 2624
17 July 2006



VIKKRAM BALI
PRIMARY EXAMINER